

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JACOB HARPER-LEONARD,

No. 2:21-cv-00539-JE

Plaintiff,

ORDER

v.

SUE WASHBURN,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge Jelderks issued a Findings and Recommendation on November 14, 2022, in which he recommends that this Court deny the Petition for Writ of Habeas Corpus, dismiss this matter with prejudice, and deny a certificate of appealability. F&R, ECF 37. The matter is now before the Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Petitioner filed timely objections to the Magistrate Judge's Findings and Recommendation. Pet. Obj., ECF No. 41. When any party objects to any portion of the Magistrate Judge's Findings & Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

The Court has carefully considered Petitioner's objections and concludes that there is no basis to modify the Findings and Recommendation. The Court has also reviewed the pertinent portions of the record *de novo* and finds no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court ADOPTS Magistrate Judge Jelderks' Findings and Recommendation [37]. Therefore, the Court denies the Petition for Writ of Habeas Corpus [1], dismisses this matter with prejudice, and denies a certificate of appealability.

IT IS SO ORDERED.

DATED: January 13, 2023.


MARCO A. HERNÁNDEZ
United States District Judge